INSTRUCTION

Copyrighted Materials: Computer Programs

A.   Generally

It is the intent of the school division to adhere to the provisions of copyright laws in the area of microcomputer programs. Though there continues to be controversy regarding interpretation of those copyright laws, the following procedures represent a sincere effort to operate legally. We recognize that computer software piracy is a major problem for the industry and that violations of computer copyright laws contribute to higher costs and greater efforts to prevent copies and/or lessen incentives for the development of good educational software. All of these results are detrimental to the development of effective educational uses of microcomputers.

B.   Implementation

1.   The ethical and practical problems caused by software piracy will be taught in all schools in the division.

2.   Employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This states that "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:

a.   that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or

b.   that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."

3.   When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.

4.   Illegal copies of copyrighted programs may not be made or used on school equipment.

5.   The legal or insurance protection of the division will not be extended to employees who violate copyright laws.

INSTRUCTION

<u>Copyrighted Materials: Computer Programs</u> (continued)

6.   The superintendent or designee is designated as the only individual who may sign license agreements for software for schools in the division.

7.   The principal of each school is responsible for establishing practices which will enforce this regulation at the school level.

INSTRUCTION

<u>Copyrighted Materials: Computer Programs</u> (continued)

Approved by Division Superintendent: June 29, 1999